



SO ORDERED.

SIGNED this 12 day of March, 2010.



Randy D. Doub
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

IN RE:

**TODD A. FULCHER,

DEBTOR**

**CHAPTER 7
CASE NO. 10-00169-8-RDD**

ORDER

On February 19, 2010, the Court entered an Order for Apprehension of Personal Representative of Debtors to Compel Attendance for Examination Under Federal Rule of Bankruptcy Procedure 2005 (the "Apprehension Order") in the Chapter 11 proceedings of TAAF, LLC; Todd Fulcher, LLC; and Fulcher Tire Sales & Service, Inc. and, on February 26, 2010, the Court conducted a hearing in compliance with the requirements of FED. R. BANKR. P. 2005 to determine the validity of the initial Apprehension Order and the conditions for the release of Todd A. Fulcher, corporate representative of each of the three Chapter 11 debtors.

Walter Hinson, Chapter 7 Trustee, and Jessie Corwin, counsel for Mr. Fulcher in the above-referenced proceeding, were both present at the hearing on February 26, 2010.

Based on the facts of this case and the facts of the corporate cases, Mr. Hinson made an oral motion pursuant to FED. R. BANKR. P. 2005 that the Court detain Todd A. Fulcher pending

completion of his examinations in the individual case are necessary for the proper administration of the estate. More specifically, Mr. Hinson asked the Court to detain Mr. Fulcher until the chapter 7 trustee conducts his 2004 examination as allowed by order of this Court and conducts and completes the 11 U.S.C. § 341 Meeting of Creditors scheduled for April 1, 2010. Mr. Hinson also noted that, as of the date of the hearing, no schedules or statements have been filed in the individual case.

Ms. Corwin objected to the apprehension of Mr. Fulcher and to any ongoing detention of him.

Based on the pleadings filed in both the individual and the corporate cases, as well as the testimony before this Court, for the reasons set forth in the Order for Continued Detention of Todd A. Fulcher as Corporate Officer and/or Managing Member of Debtors under Federal Rule of Bankruptcy Procedure 2005 to Compel Attendance for Examination, docketed in TAAF, LLC, case no. 10-00171-8-RDD; Fulcher Tire Sales & Service, Inc., case no. 10-00172-8-RDD, and Todd Fulcher, LLC, case no. 10-00174-8-RDD, on March 12, 2010, Mr. Fulcher shall remain in the custody of the United States Marshal until the completion the April 1, 2010 Meeting of Creditors in this case.

The United States Marshal shall arrange for detention of Mr. Fulcher and shall transport him to and from any hearings or examinations scheduled in these proceedings through, and including the completion of the Meeting of Creditors on April 1, 2010.

Upon completion of the Meeting of Creditors in his individual case, Mr. Fulcher shall immediately be released from custody.

SO ORDERED.

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